

2162  
SW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: John D'Agostino

Serial No.: 10/037,007

Filing Date: November 9, 2001

For: SYSTEM AND METHOD FOR PERFORMING SECURE USER  
ACCOUNT PURCHASES



Group Art Unit 2162  
Customer Number 4219

2800 S.W. Third Avenue  
Historic Coral Way  
Miami, Florida 33129

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

CERTIFICATE OF MAILING

I HEREBY CERTIFY that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, this 17<sup>th</sup> day of June, 2005.

Respectfully submitted,

MALLOY & MALLOY, P.A.  
2800 S.W. Third Avenue  
Historic Coral Way  
Miami, Florida 33129  
(305) 858-8000

By: 

Peter A. Matos  
Reg. No. 37,884

Date: 6/17/05

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: John D'Agostino

Serial No.: 10/037,007

Filing Date: November 9, 2001

For: SYSTEM AND METHOD FOR PERFORMING SECURE USER  
ACCOUNT PURCHASES

Group Art Unit 2162  
Customer Number 4219

2800 S.W. Third Avenue  
Historic Coral Way  
Miami, Florida 33129

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

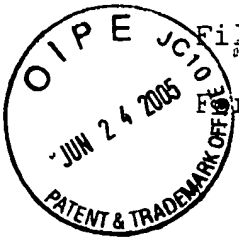
Dear Sir:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

In accordance with the duty of disclosure under 37 C.F.R. 1.56 and 1.97-1.98, Applicant provides the following supplemental information for consideration by the U.S. Patent and Trademark Office in connection with the above-captioned application.

The patents identified below and on the attached form PTO/SB/08A were developed in subsequent proceedings and are documents which define the general state of the art, but which are not of particular relevance to the invention disclosed and/or claimed. Copies of the documents are enclosed, in accordance with MPEP 609 subsection III. A(2) (A).

The Examiner is respectfully requested to return a copy of an initialed form PTO/SB08A evidencing consideration of this information with the next Office Action.



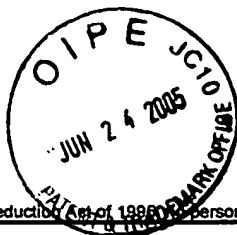
Respectfully submitted,

MALLOY & MALLOY, P.A.  
Attorneys for Applicant  
2800 S.W. Third Avenue  
Historic Coral Way  
Miami, Florida 33129  
(305) 858-8000

By: 

Peter A. Matos  
Reg. No. 37,884

Dated: 6/12/05



PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Project of 1996, persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1

of 6

**Complete if Known**

Application Number	10/037,007
Filing Date	November 9, 2001
First Named Inventor	John D'Agostino
Art Unit	2162
Examiner Name	
Attorney Docket Number	1.706-A.01

**U. S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US- 3,938,091	02-10-1976	Atalla et al.	
		US- 4,423,316	12-27-1983	Sano et al.	
		US- 4,707,592	11-17-1987	Ware	
		US- 4,720,860	06-19-1988	Weiss	
		US- 4,725,719	02-16-1988	Oncken et al.	
		US- 4,747,050	05-24-1988	Brachtl et al.	
		US- 4,797,920	01-10-1989	Stein	
		US- 5,097,505	03-17-1992	Weiss	
		US- 5,130,519	07-14-1992	Bush et al.	
		US- 5,163,097	11-10-1992	Pegg	
		US- 5,193,114	03-09-1993	Moseley	
		US- 5,196,840	03-23-1993	Leith et al.	
		US- 5,202,826	04-13-1993	McCarthy	
		US- 5,239,583	08-24-1993	Parillo	
		US- 5,287,268	02-15-1994	McCarthy	
		US- 5,317,636	05-31-1994	Vizcaino	
		US- 5,323,338	06-21-1994	Hawthorne	
		US- 5,326,960	07-05-1994	Tannebaum	
		US- 5,350,906	09-27-1994	Brody et al.	

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				
		EP 0 081 921 A1	06-22-1983	Easterby		
		UK 2 145 265 A	03-20-1985	Miura		
		UK 2 252 270 A	01-30-1991	Wren-Hilton		
		WO 91/12693	08-22-1991	Hawthorne et al		
		FR 2 661 996 A1	11-15-1991	Bremard		
		WO 93/14476	07-22-1993	Reinikainen		

Examiner  
SignatureDate  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Substitute for form 1449/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 2

of 6

**Complete if Known**

Application Number	10/037,007
Filing Date	November 9, 2001
First Named Inventor	John D'Agostino
Art Unit	2162
Examiner Name	
Attorney Docket Number	1.706-A.01

**U. S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US- 5,363,449	11-08-1994	Bestok	
		US- 5,428,684	06-27-1995	Akiyama et al.	
		US- 5,466,919	11-14-1995	Hovakimian	
		US- 5,478,994	12-26-1995	Rahman et al.	
		US- 5,485,510	01-16-1996	Colbert	
		US- 5,500,513	03-19-1996	Langhans et al.	
		US- 5,504,808	04-02-1996	Hamrick, Jr.	
		US- 5,555,497	09-10-1996	Helbring	
		US- 5,577,109	11-19-1996	Stimson et al.	
		US- 5,583,918	12-10-1996	Nakagawa	
		US- 5,606,614	02-25-1997	Brady et al.	
		US- 5,621,201	04-15-1997	Langhans et al.	
		US- 5,627,355	05-16-1997	Rahman et al.	
		US- 5,677,955	10-14-1997	Doggett et al.	
		US- 5,694,471	12-02-1997	Chen et al.	
		US- 5,696,908	12-09-1997	Muehlberger et al.	
		US- 5,721,768	02-24-1998	Stimson et al.	
		US- 5,724,424	03-03-1998	Gifford	
		US- 5,748,908	05-05-1998	Yu	

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				
		EP 0 590 861 A2	06-04-1994	Colbert		
		EP 0 590 961 A2	06-04-1994	Kazuo et al		
		EP 0 590 861 A3	06-04-1994	Colbert		
		WO 95/07512	03-16-1995	Ziarno		
		WO 96/08756	03-21-1996	Hawthorn et al		
		WO 96/42150	12-27-1996	Pittenger et al		

Examiner  
SignatureDate  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 3

of 6

**Complete if Known**

Application Number	10/037,007
Filing Date	November 9, 2001
First Named Inventor	John D'Agostino
Art Unit	2162
Examiner Name	
Attorney Docket Number	1.706-A.01

**U. S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US- 5,757,917	05-26-1998	Rose et al.	
		US- 5,768,381	06-16-1998	Hawthorne	
		US- 5,777,305	07-07-1998	Smith et al.	
		US- 5,777,306	07-07-1998	Musuada	
		US- 5,825,881	10-20-1998	Colvin, Sr.	
		US- 5,826,241	10-20-1998	Stein et al.	
		US- 5,832,087	11-03-1998	Hawthorne	
		US- 5,864,830	01-26-1999	Armetta et al.	
		US- 5,868,236	02-09-1999	Rademacher	
		US- 5,890,137	03-30-1999	Koreeda	
		US- 5,893,907	04-13-1999	Ukuda	
		US- 5,903,878	05-11-1999	Talati et al.	
		US- 5,953,710	09-14-1999	Fleming	
		US- 5,956,699	09-21-1999	Wong et al.	
		US- 5,984,180	11-16-1999	Albrecht	
		US- 5,991,750	11-23-1999	Watson	
		US- 6,029,890	02-29-2000	Austin	
		US- 6,144,948	11-07-2000	Walker et al.	
		US- 6,163,771	12-19-2000	Walker et al.	

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				
		WO 97/15893	01-05-1997	Ukuda		
		WO 97/19549	05-29-1997	Beeder et al		
		UK 2 327 831 A	07-23-1997	Hawthorne		
		WO 98/26376	06-18-1998	Walker et al		
		WO 99/49424	09-30-1999	Flitcroft et al		
		UK 2 361 790 A	02-28-2001	Arndt et al		

Examiner  
SignatureDate  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

**Complete if Known**

(Use as many sheets as necessary)

Sheet	4	of	6
-------	---	----	---

Application Number	10/037,007
Filing Date	November 9, 2001
First Named Inventor	John D'Agostino
Art Unit	2162
Examiner Name	
Attorney Docket Number	1.706-A.01

[illegible][illegible]

**Examiner  
Signature**

Date  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

**If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.**

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>		<b>Complete if Known</b>	
		Application Number	10/037,007
		Filing Date	November 9, 2001
		First Named Inventor	John D'Agostino
		Art Unit	2162
		Examiner Name	
Sheet 5	of 6	Attorney Docket Number	1.706-A.01

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		ERAN GABBER and ABRAHAM SILBERSCHATZ, A Minimal Distributed Protocol for Electronic Commerce, www.usinex.publications (Article), Oakland, USA, November 18-21, 1996	
		CITI.COM, Total Fraud Protection, (printout) CBSD002144-CBSD002153	
		OWEN THOMAS, Money Changers, www.ecompany.com, (Article), October 2000	
		Netchex - a short brief, www.tml.hut.fi/Studies/Tik-110.50/1997/Ecommerce/netchex_5.html, (Article), April 5, 1997	
		GE CAPITAL FINANCIAL INC., GE Pre-Authorization System, (GE's website printout)	
		Virtual Credit Card (VCC), www.geocities.com/Eureka/Park/5014/vcc.htm, (printout), June 28, 1999	
		Smart Cards, disc.cba.uh.edu, (printout), November 1, 2001	
		VINCENT MOSCARITOLO & ROBERT HETTINGA, Digital Commerce for the Rest of Us Apple in a Geodesic Economy, www.shipwright.com/rants/rant_15.html, (article), September 4, 1996	
		BLAKE IVES & MICHAEL EARL, Mondex International: Reengineering Money, London Business School Article, isds.bus.lsu.edu/cases/mondex.html, UK, USA	
		Smart Card News Ltd's Information Gateway, www.smartcard.co.uk/articles/electronicmoney.html, November 1, 2001	

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>		<b>Complete if Known</b>	
		Application Number	10/037,007
		Filing Date	November 9, 2001
		First Named Inventor	John D'Agostino
		Art Unit	2162
		Examiner Name	
Sheet 6	of 6	Attorney Docket Number	1.706-A.01

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		Putting Risk in Perspective, (Article) Internet Outlook (July 20, 1997), Volume 1 No. 3, www.webreference.com	
		KEITH LAMOND, Credit Card Transactions Real World and Online, www.virtualschool.edu/mon/ElectronicProperty/klamond/credit_card.htm	
		STEVEN P. KETCHPEL & ANDREAS PAEPCKE, Shpping Models: A Flexible Architecture for Information Commerce, dbpubs.stanford.edu:8090, October 1, 2002, (Stanford, USA)	

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.